

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IRA E. RUPARD III

v.

MICHAEL J. ASTRUE,  
Commissioner of Social Security

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CIVIL ACTION

NO. 07-3989

**ORDER**

AND NOW, this 16th day of June, 2009, upon consideration of the Report and Recommendation (Doc. No. 12), Defendant's Objections to Magistrate Judge's Report and Recommendation (Doc. No. 13), and all documents submitted in support thereof and in opposition thereto, and after a review of the full record of the proceedings in this case, it is ORDERED as follows:

1. The Report and Recommendation (Doc. No. 12) is APPROVED and ADOPTED, consistent with the Memorandum that accompanies this Order;
2. Defendant's Objections to Magistrate Judge's Report and Recommendation (Doc. No. 13) are OVERRULED;
3. Judgment is entered REVERSING the decision of the Commissioner of Social Security for the purposes of this remand only and relief sought by Plaintiff is GRANTED to the extent that the matter is REMANDED for further proceedings consistent with this adjudication;
4. The Clerk of Court is hereby directed to mark this case as closed.

IT IS SO ORDERED.

BY THE COURT:

/s/ R. Barclay Surrick  
R. Barclay Surrick, J.